Office of the Attorney General

State of Texas

DAN MORALES
ATTORNEY GENERAL

November 30, 1998

Ms. Sharon R. Sela
Assistant City Attorney
Criminal Law and Police Division
City of Dallas
Municipal Building
Dallas, Texas 75201

OR98-2883

Dear Ms. Sela:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 120062.

The City of Dallas Police Department received a request for a particular incident report. You advise that the report pertains to juvenile conduct that occurred after September 1, 1997. You seek to withhold the requested report under section 552.101 of the Government Code in conjunction with section 58.007(c) of the Family Code.

Section 552.101 of the Government Code requires withholding information made confidential by statute. Section 58.007(c) of the Family Code provides in pertinent part:

> (c) Except as provided by Subsection (d), law enforcement records and files concerning a child may not be disclosed to the public and shall be:
>
> (1) kept separate from adult files and records; and
>
> (2) maintained on a local basis only and not sent to a central state or federal depository, except as provided by Subchapter B.

See also Family Code, chapter 58, subchapter B ("Juvenile Justice Information System"). Because the requested report comes within the ambit of section 58.007(c), it must be withheld in its entirety.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

William Walker
Assistant Attorney General
Open Records Division

WMW/ch

Ref: ID# 120062

Enclosures: Submitted documents

cc: Mr. Darryl Gilmore
       13100 Pandora Drive, # 1705 A
       Dallas, Texas 75238
       (w/o enclosures)